

January 23, 2004

Lake County Leader   Hungry Horse News   Kalispell Daily Interlake  
PO Box 1090  
Polson, MT 59860

**RE: Legal Notice on Reclamation Bond Increase for the Essex Rock Quarry**

Dear Editor:

Please run the following Legal Notice in your next issue:

LEGAL NOTICE

The Montana Department of Environmental Quality (DEQ) has completed a five-year bond review and a request for partial bond release for Schellinger Construction Company's (Schellinger) Essex Quarry. The Essex Quarry is permitted under Operating Permit No. 00045 from DEQ and is located 5 miles east of West Glacier. The five-year bond review procedures are set forth in Section 82-4-338, MCA, of the Montana Metal Mine Reclamation Act.

Schellinger and several predecessors have quarried rock for railroad ballast, rip rap and aggregates in the area since 1977. The quarry is on private land next to the railroad line in Sections 33 and 34 in Township 30 North and Range 16 West in Flathead County.

Current disturbance at the quarry is 55 acres within a 59-acre permit area. DEQ formerly held a reclamation bond of \$120,000 for reclamation of the 55 acres of permitted quarry disturbances. Meridian Minerals (now Martin Marietta Materials), former operator of the quarry, reclaimed 10 acres of the site in 2001. Schellinger asked for a partial bond release for those acres. DEQ determined as part of the bond review process that an increase in the bond was required to guarantee reclamation of the permitted disturbance at the site even though 10 acres have been reclaimed. DEQ calculated a proposed bond determination of \$139,624 that would cover an improved reclamation plan and higher equipment and labor costs.

DEQ published the proposed bond determination in the local papers. No comments were received from the company or the public. Therefore, DEQ set \$139,624 as the final bond amount. In the meantime, Schellinger posted the bond increase.

DEQ published the final bond amount of \$139,624 in local newspapers and issued a legal notice and press release. No comments were received. The bond will stay at \$139,624.

For more information on the final bond determination contact the Montana Department of Environmental Quality, Environmental Management Bureau, P. O. Box 200901, 1520 E. Sixth Ave., Helena, MT 59620-0901, or call Patrick Plantenberg at (406) 444-4960 or e-mail at [pplantenberg@state.mt.us](mailto:pplantenberg@state.mt.us).

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Please attach an affidavit of publication, with an original tear sheet for the run date, to your invoice and send them to:

Department of Environmental Quality  
Environmental Management Bureau  
1520 East 6<sup>th</sup> Avenue  
PO Box 200901  
Helena MT 59620-0901

Please charge to DEQ account number: RC # 5315, DOC # EMB 503129.

Sincerely,

Patrick Plantenberg  
Operating Permit Section Supervisor  
Environmental Management Bureau

cc: Tina Engel, DEQ  
Charles Freshman, DEQ

file: 00045.37 and .10

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